

INFORMATION DISCLOSURE STATEMENT

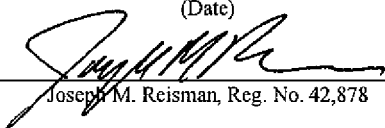
Applicant : Larry Eugene West
App. No : 10/723,168
Filed : November 26, 2003
For : INTEGRATED BIO-REACTOR
MONITOR AND CONTROL SYSTEM
Examiner : Bowers, Nathan Andrew
Art Unit : 1744

**CERTIFICATE OF EFS WEB
TRANSMISSION**

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

May 11, 2007

(Date)


Joseph M. Reisman, Reg. No. 42,878

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 15 references to be considered by the Examiner. Also enclosed are the 15 non-patent references as listed on the Information Disclosure Statement.

I. BACKGROUND AND PRIOR SUBMISSIONS TO THE PTO

This IDS is being filed in the present U.S. Patent Application 10/723,168, entitled "Integrated Bio-Reactor Monitor and Control System" filed November 26, 2003, and in related U.S. Patent Application 11/057,079, entitled "Integrated Bio-Reactor Monitor and Control System" filed February 10, 2005 (hereinafter collectively referred to as the "BJC Applications"). The '079 application is a continuation-in-part of the '168 application, and both of these applications are assigned to Broadley-James Corporation ("BJC"). The BJC Applications disclose, *inter alia*, apparatuses and methods generally related to BJC's BioNet[®] Bioreactor Control System ("BioNet[®]"). Larry West is the sole named inventor on the BJC Applications and, at the time the BJC Applications were filed, was an employee of BJC whose responsibilities included sales, marketing and technology development for BioNet[®]. Mr. West executed

appropriate Inventor's Declarations and Assignments to BJC for each of the BJC Applications. In these documents, he confirmed that he was the sole inventor of all subject matter claimed in the BJC Applications, while assigning his complete right, title, and interest in the BJC Applications to BJC. These assignments are recorded at Frame/Reel No. 014520/0680 ('168 application) and Frame/Reel No. 015989/0766 ('079 application).

In October, 2005, Mr. West left BJC and immediately became employed by Finesse LLC, (a direct competitor of BJC). The undersigned believes that Mr. West continues to be employed by Finesse. In July, 2006, Mr. West and Finesse asserted to BJC that Michael W. Mantha is an unnamed inventor of the BJC Applications. On that basis, Finesse took the position that it had obtained a "license" from Mr. Mantha to the BJC Applications. Mr. Mantha, apparently now affiliated with Finesse, previously worked for Caltrol, a company that specializes in process automation and control systems. BJC had paid Caltrol to prepare a prototype and manufacture and integrate certain portions of BioNet[®] for BJC. (Subsequently, Caltrol has assigned its rights in all of its work-product relating to BioNet[®] to BJC.) While working for Caltrol, Mr. Mantha participated in assembling a BioNet[®] prototype for BJC. Subsequently, in 2003 and early 2004, while working at AdvanceTech Solutions ("ATS"), Mr. Mantha participated in assembling a small number of BioNet[®] products for BJC and did so in accordance with BJC's instructions. Mr. Mantha's assembly work ended when BJC decide to move the BioNet[®] assembly process in-house.

On August 1, 2006 Finesse provided documents labeled FI00000049-FI0000269 (referred to herein as the "Mantha Materials") to the undersigned. Those documents generally indicate Mr. Mantha was involved in assembling a prototype for BJC. To determine whether a person made an inventive contribution an invention, the contribution to the conception of the claimed subject matter must be evaluated.¹ A contribution limited to reducing already conceived subject matter to practice, for example, merely preparing a prototype, is not an inventive contribution.

Finesse has alleged that the Mantha Materials establish that Mr. Mantha is a co-inventor in BJC's Applications. Finesse has however, repeatedly refused to identify what specific

¹ *Gemstar-TV Guide Int'l. Inc. v. U.S. Int'l Trade Comm'n*, 383 F.3d 1352, 1381-82 (Fed. Cir. 2004).

contribution Mr. Mantha allegedly made, and has refused to identify a claim in the BJC Applications that recites the contribution. On October 19, 2006, BJC submitted an IDS to the USPTO for the BJC Applications that includes correspondence between BJC and Finesse (e.g., illustrating Finesse's refusal to identify any specific contributions Mr. Mantha made to the BJC Applications), the Mantha Materials, and its determination that nothing in the Mantha Materials indicates Mr. Mantha was an inventor of any of the claimed subject matter of the BJC Applications.

As described in the October 19, 2006, IDS many of the Mantha Materials (e.g., FI0000257, FI0000258, FI0000260, and FI0000264) relate to the cabinet and enclosure of the BioNet[®], rather than to operative system components. As previously explained, the cabinet enclosure is not a claimed feature in the Applications. Other of the Mantha Materials, e.g., FI0000249, relate to a circuit. BJC has not pursued claims directed to such a circuit. The Mantha Materials also demonstrate that whatever contribution Mr. Mantha made, he expressly recognized that contribution to be "small." *See*, Mantha Materials page FI0000073. Thus, the undersigned observed that Mr. Mantha may believe that he developed the circuit illustrated on FI0000249. To remove any and all doubt, BJC submitted a preliminary amendment on October 19, 2006, cancelling Claims 35-37 of the '168 Application. Cancelled Claims 35-37 are the only claims reciting means-plus-function limitations that could conceivably be construed as reciting such a circuit. Accordingly, even if Mr. Mantha had invented the circuit depicted in FI00000249, that circuit is no longer a recited element of any pending claim in either of the BJC Applications. Additional information regarding BJC's analysis of the Mantha Materials is described in BJC's IDS dated October 19, 2006.

On or about October 19, 2006, Mr. West provided materials to the USPTO in a submission styled "IDS" (hereinafter referred to as the "West IDS") (Reference 1).² Mr. West also provided the West IDS to the undersigned, on or about that same day. Specifically the West IDS includes a declaration dated October 5, 2006, from Mr. West ("the West Declaration")

² In the West IDS, Mr. West and Mr. Mantha incorrectly refer to BJC's '168 and '079 applications as the "542 application" and the "701 application," respectively, apparently referring to the U.S. Patent Publication Nos. US 2005/0112542 A1 and US 2005/0158701 A1 for BJC's Applications instead of the U.S. Patent Application Nos. In its analysis, BJC has assumed that Mr. West and Mr. Mantha are in fact referring to BJC's '168 and '079 applications.

(Reference 2), and a declaration dated October 16, 2006, from Mr. Mantha (“the Mantha Declaration”) (Reference 3). The West IDS also includes an Offer of Assignment for Material relating to assembling BJC’s BioNet® (Reference 4), an Offer of Employment of Mr. Mantha (Reference 5), and drawings which Mr. Mantha copied from BJC’s BioNet® prototype (Reference 6). See Ref. 3 at ¶ 13. In the West IDS Mr. West advances his position regarding inventorship and makes statements regarding non-inventorship issues (*e.g.*, the business relationship between ATS and BJC, Mr. West’s recollections regarding his interactions with the undersigned). Consistent with his own and BJC’s ongoing obligations during prosecution, the undersigned herein analyzes Mr. West’s inventorship allegations and submits certain additional material to corroborate the present analysis. The undersigned and BJC will, of course, continue to provide any additional material information regarding *any* of the allegations. Analysis is being submitted to the USPTO in each of the ‘079 and ‘168 applications.

II. ANALYSIS OF THE WEST IDS

Mr. West is the sole named inventor on the BJC Applications. This is consistent with all of BJC’s documentation and knowledge, and was wholly undisputed until Mr. West left BJC to work for BJC’s competitor, Finesse. The West and Mantha Declarations in the West IDS generally allege that Mr. Mantha should be named as a co-inventor, along with Mr. West, on the BJC Applications. They do not offer, however, any underlying basis to support this alleged inventorship role. For instance, they fail to specifically state the alleged contribution Mr. Mantha made to the claimed conception of any subject matter of the BJC Applications. Ref. 2 at ¶ 3; and Ref. 3 at ¶ 31. Instead, they summarily assert that Mr. West and Mr. Mantha created BioNet® *on their own and outside of any work responsibilities or obligations to their employers*, that Mr. Mantha and Mr. West created BioNet® *without BJC’s involvement*, and that BJC had *no* interest in BioNet® until a prototype was assembled and evaluated in about March 2003, at which time BJC claimed ownership of BioNet®. Ref. 2 at ¶¶ 3, 6-27; Ref. 3 at ¶¶ 6-16. Material submitted herewith contradict these assertions, and instead illustrate BJC’s extensive BioNet® development work, and Mr. West’s involvement in support of BJC.

A. MR. WEST DEVELOPED BIONET® FOR BJC IN A PROJECT NAMED “STELLA”

BJC began its corporate investigation of automated bioreactor controls at least as early as November 2001. From November 2001 and through October 2005, Mr. West was an employee (and beginning in July 2004, an officer) of BJC. Contrary to the allegations of the West IDS, Mr. Broadley and Mr. West worked together extensively in 2002, investigating automation of processes of growing cell cultures and developing BJC’s own bioreactor control system.

By mid-2002, BJC was ready to move forward with this project. In an email dated July 13, 2002 (Reference 7), from Mr. Broadley to Mr. West (who was using his wife’s email account “‘Tiffany West’ teamwest1@cox.net”), Mr. Broadley presented his analysis of the potential bioreactor control system market, and finding it favorable, instructed Mr. West that BJC would make a business plan and set an aggressive agenda for developing a bioreactor control system. Ref. 7 at page 3.

This project was internally named “Stella.” To staff BJC’s bioreactor control system development under “Stella,” BJC assigned Mr. West the product sales and marketing responsibilities. *Id.* at page 3. In an email dated July 14, 2002, Mr. West agreed with Mr. Broadley as to BJC’s detailed development plans and volunteered to take responsibility for BJC’s bioreactor control system “technology” in addition to being responsible for sales and marketing of BJC’s bioreactor control system. *Id.* at page 1. Mr. West also agreed that Mr. Broadley stay involved in the Stella project, but not be the public “face.” *Id.* The undersigned observes that Mr. West did not notify the PTO of these facts, and failed to provide a copy of Mr. West’s own email of July 13 & 14, 2002 (Ref. 7) to the USPTO, in the West IDS.

BJC and Mr. West both continued working on “Stella” through the Fall of 2002. In his role of technology lead, Mr. West provided Mr. Broadley and Mr. Bob Garrahy (another Stella team member) status reports (for example, Reference 8, email dated October 16, 2006, from Mr. West to Mr. Broadley and Mr. Garrahy providing “a quick update on ‘Stella’”). As the Sales, Management and Technology lead of BJC’s BioNet® project, Mr. West interfaced with Emerson, Caltrol, and any other vendors on behalf of BJC. *Id.*

From 2002 until he left BJC in late 2005, Mr. West was first a full-time BJC employee and, later, officer of BJC. His job responsibilities included marketing, selling and developing BJC’s BioNet® for BJC. Mr. West directly managed part of the Stella project and offered

suggestions to improve its effectiveness. Reference 9 (email dated November 4, 2002, from Mr. West to Mr. Broadley). In one instance, in November 2002, Mr. West suggested that BJC divide the Stella project into two parts: the Vessel Hardware (run by Mr. Garrahy and Mr. Broadley) and the Measurement & Control System (run by Mr. West). *Id.* Contrary to Mr. West's allegations that neither Mr. Broadley nor BJC was involved in developing BioNet®, this email makes plain that Mr. West believed it should *appear* to outside companies that Mr. Broadley *was not involved* in developing BJC's bioreactor control system solution. *Id.* Again, the undersigned observes that Mr. West did not provide a copy of his own November 2002 email (Ref. 9) to the USPTO in the West IDS, or disclose that he, along with senior management at BJC, was but one of several members of BJC's BioNet® "Stella" team.

Mr. West continued developing a bioreactor control system for BJC throughout November and December, 2002. Mr. West attended BJC "Stella" project meetings, along with other "Stella" team members (for example, Mr. Broadley, Mr. Garrahy, and Kathleen Daugherty); see also Reference 10 ("Stella Project Meeting Minutes" of November 7, 2002). As Mr. Mantha was simply not part of BJC's development team, he did not attend the November 7, 2002 Stella Project meeting. Ref. 10

Mr. West worked on many "Action Items" for Stella, including preparations for the "Factory Acceptance Test" of BJC's bioreactor control system. Ref. 10, Reference 11 (Agenda for Stella Project Meeting -11/7/2002 Tuesday 7:30 am). BJC's "Stella" team developed all aspects of its bioreactor control system, interacted with other vendors (for example, "Amgen," "Applikon," "Genentech," "Caltrol," "Masterflex,") to determine hardware and software product requirements, and resolve detailed hardware and software implementation issues (e.g., regarding the "control box," "o-rings," "pumps," "pump unit," "Delta V," "keypad," "touch screen menus," "headplates," "filters," "glass," "couplings," "tubing," "steel finishes," etc.). See Ref. 11. The undersigned again observes that Mr. West did not include any material or description relating to Mr. West's heavy involvement in BJC's BioNet® development meetings nor Mr. Mantha's consistent absence from these meetings.

On or about December 9, 2002, Mr. West presented to BJC his detailed system concept and configuration for BioNet®, as now claimed in the BJC Applications. In particular, Mr. West presented his detailed system concept to Scott Broadley and two representatives from Caltrol,

Inc. During this presentation, Mr. West represented certain details regarding the now-claimed system on a white board which was contemporaneously recorded for documentation purposes. See Reference 12. As with the other BioNet[®] development meetings, Mr. Mantha was not present at this December 9, 2002 meeting.

At about the same time, Mr. Broadley wrote a “white paper” (Reference 13) entitled “Automating the Control and Data Acquisition of Multiple Benchtop Bioreactors with Industry Standard Fieldbus Networks.” This paper describes BJC’s new bioreactor control system. Mr. Broadley circulated the white paper by email (Reference 14) to certain individuals for comment, including Mr. West and Caltrol representatives Jim Davis and Mr. Mantha, because Caltrol was then involved in supplying control hardware and software for BJC’s BioNet[®] prototype. The undersigned observes that neither Mr. West nor Mr. Mantha provided, or otherwise described, Mr. Broadley’s BJC’s BioNet[®] “white paper” in their submissions to the PTO.

Following this meeting, BJC diligently began developing actual prototypes of its BioNet[®] system. In January, 2003, BJC (*not* Mr. Mantha and Mr. West, as they each have alleged) delivered the first BioNet[®] control tower to Amgen. See, for example Reference 15. Mr. West and Mr. Mantha participated in this delivery and the subsequent evaluation of BioNet[®] by Amgen only in their respective roles of supporting BJC’s BioNet[®] development.

The above-cited material are but a few select examples of documentation illustrating Mr. West, as a BJC employee and later an officer, solely conceived BJC’s BioNet[®]. This material fully corroborates BJC’s assertions made in its IDS of October 19, 2002, and the assertions made herein. Mr. West, in contrast, has failed to disclose to the USPTO *any* information, much less, corroborating evidence, relating to BJC’s bioreactor development project “Stella” or *any* information of his active role on BJC’s “Stella” team. Mr. Mantha also failed to disclose information of BJC’s development project despite having received BJC’s “white paper” which described the details of BJC’s new bioreactor control system.

B. MR. WEST IS THE SOLE INVENTOR OF THE NOW-CLAIMED SUBJECT MATTER

1. The West Declaration Fails To Disclose BJC's BioNet System Development And Fails To Identify Mr. Mantha's Alleged Inventive Contributions

Mr. West signed declarations affirming that he was the "original, first and sole inventor of the subject matter which is claimed" in both the '168 and the '079 Applications. Ref. 2 at ¶ 1. While Mr. West was a BJC employee, his statements and actions to BJC and BJC's attorneys regarding determining inventorship of the BJC Applications were consistent with his sworn statements of being the sole inventor of the BJC Applications. BJC did not claim (and does not intend to claim) subject matter that was invented by anyone other than Mr. West.

On or about August 1, 2003, the undersigned, and other attorneys at Knobbe, Martens, Olson & Bear LLP, together with BJC and Mr. West, began preparing the first BioNet[®] patent application (*i.e.*, the '168 application). Despite having spent many hours discussing BioNet[®] with Dr. Reisman and Mr. Hermanson (attorneys for BJC) over the course of preparing and filing two patent applications, during the time Mr. West was a BJC employee, Mr. West *never* stated or suggested that someone else was or may have been involved in the conception of the claimed subject matter of the BJC Applications; Mr. West never described circumstances to indicate another might have been co-inventor. *See, e.g.*, Ref. 2 at ¶¶ 40-50 and 53. The October 5, 2006 West Declaration fails to identify any corroborating evidence to support its assertion that Mr. Mantha and Mr. West co-developed BioNet[®], other than that material described above regarding a possible "small" contribution to cabinetry or a circuit design. Neither of these features is claimed subject matter in the BJC Applications. Although Mr. West now attempts to disparage BJC and BJC's attorneys' determination of (and evaluation of) inventorship (*see e.g.*, Ref. 2 at ¶¶ 40-51), Mr. West also *admits* that in fact *no one* could have known that Mr. Mantha had an inventorship role, for Mr. West has *never* described any specific contribution made by Mr. Mantha. Ref. 2 at ¶ 53. Having admitted that Mr. West never stated what contribution Mr. Mantha allegedly made, the West Declaration offers no supporting, corroborating evidence to evaluate Mr. Mantha's alleged inventive contribution. Ref. 2 at ¶ 53.

2. The Mantha Declaration Fails To Disclose BJC's BioNet System development and Fails To Allege Mr. Mantha's Inventorship Contributions

Mr. Mantha also fails to allege any specific inventive contribution that he made to the BJC Applications. *See, e.g.*, Ref. 3 at ¶¶ 1-32. Mr. Mantha never actually states what he allegedly invented, but he nonetheless asserts that he is an unnamed inventor. The only support provided by Mr. Mantha is the bare assertion that he and Mr. West co-developed the BioNet System in late 2002 and early 2003 on their own personal spare time and without any BJC involvement. *Id.* at ¶¶ 5-12. As described above, the evidence indicates otherwise: BJC and its employees *developed* BioNet®, and BJC *provided* a BioNet® prototype to Amgen for evaluation in early 2003. *See, e.g.*, Ref. 7-15.

Mr. Mantha was not part of BJC's "Stella" team and did not work on BJC's development of BioNet®. Rather, in late 2002 and early 2003, Mr. Mantha worked for Caltrol as a member of BJC's Caltrol support team which interfaced with BJC to supply certain parts and software; Mr. Mantha, at least, helped to assemble a BioNet® prototype. Ref. 3 at ¶ 3; Ref. 14.

In December, 2002, BJC included Mr. Mantha on the distribution of its white paper describing BJC's new bioreactor control system (i.e., BioNet®) and requested his comments. Ref. 14. As noted above, Mr. Mantha failed to disclose this fact in his declaration. Instead, he alleges that, apart from Mr. West, BJC had no part in the development of BioNet®. Mr. Mantha's allegations cannot be reconciled with the above-described evidence. That evidence contradicts Mr. Mantha's assertions and shows Mr. West's and BJC's development efforts. Neither Mr. Mantha nor Mr. West have provided contemporaneous evidence corroborating their assertions that Mr. Mantha, not BJC, developed BioNet®. Furthermore, the Mantha Declaration fails to describe any specific contributions made by Mr. Mantha making it impossible to use the Mantha Declaration to evaluate whether this "contribution" relates to the invention, as claimed. Ref. 3 at ¶¶ 1-32. Accordingly, the Mantha Declaration does not establish that Mr. Mantha was an inventor of the now-claimed subject matter.

3. The Offer of Assignment For Assembly Material Fails To Show That Mr. Mantha Made An Inventive Contribution

Before BJC sent the Assignment (Reference 4) to Mr. Mantha, ATS was assembling BJC's BioNet® systems. When BJC decided to assemble its BioNet® systems in-house, it offered

to purchase all of ATS's physical assets related to the BioNet[®] assembly process and proposed the Assignment to Mr. Mantha to ratify its ownership of these assets. Mr. Mantha declined the offer. Ref. 3 at ¶ 25. This proposed Assignment was broad, and encompassed the rights to any and all assembly material and documentation that may have existed in ATS' assembly shop. Ref. 4. This Assignment, however, does not establish or admit that Mr. Mantha ever actually *held* any intellectual property rights (*e.g.*, trademark, patent, copyright, or trade secret). *Id.* In addition, the West IDS fails to explain the relationship, if any, between the "Material" as described in the Assignment and the alleged inventive contributions of Mr. Mantha. Accordingly, there is nothing in this Assignment that shows Mr. Mantha's inventive contribution in the claimed subject matter.

4. The Handwritten Wiring Diagrams Which Mr. Mantha Alleges Were Reverse-Engineered From A BioNet[®] Prototype Fail To Show That Mr. Mantha Made An Inventive Contribution

BJC provided its BioNet[®] prototype to Amgen for evaluation. Ref. 15. Mr. Mantha alleges that he drew the wiring drawings (Reference 6) from this prototype. Ref. 3 at ¶ 13. The West IDS fails to explain how copying pre-existing wiring layouts, already contained in BJC's BioNet[®] prototype, would constitute an inventive contribution. And even if Mr. Mantha developed this wiring layout independent of the pre-existing prototype (which he admits he did *not*), Mr. Mantha fails to explain how the wiring layout relates to the claims. Accordingly, the wiring drawings fail to establish that Mr. Mantha is a co-inventor in the claimed subject matter.

5. The Offer of Employment Also Fails To Show That Mr. Mantha Had An Inventorship Role In The Claimed Subject Matter of BJC's Applications

The "Offer of Employment" is a letter dated December 16, 2003, from Scott Broadley to Mr. Mantha, offering a position of BioNet[®] Product Manager with Broadley-James Corporation. Ref. 5. The West IDS does not assert that this letter establishes Mr. Mantha to be a co-inventor of claimed subject matter. In any event, this "Offer of Employment" does not bear on the issue of inventorship.

III. RESULT OF BJC'S ANALYSIS

There is no sufficient evidentiary basis to name Mr. Mantha as an inventor of the BJC Applications. The West IDS does not show that Mr. Mantha made an inventive contribution to

Appl. No. : 10/723,168
Filed : November 26, 2003

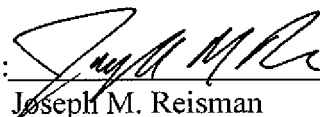
Docket No. BROAD.028A
Customer No. 20,995

the claimed subject matter. The West IDS fails to provide or describe any corroborating evidence relating to BJC's development of BioNet[®]. For example, the West IDS does not disclose that Mr. West actively worked as a BJC employee on BJC's BioNet[®] development throughout 2002 – 2005, and that Mr. Mantha participated in developing a prototype of BJC's BioNet[®] for BJC as a Caltrol representative. The West IDS also is completely inconsistent with documents illustrating BJC's active role in BioNet[®] development. Moreover, the West IDS is uncorroborated by any relevant, contemporaneous evidence.³

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required. If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 11, 2007

By: 
Joseph M. Reisman
Registration No. 43,878
Attorney of Record
Customer No. 20,995
(619) 235-8550

3631335/ 041007

³ In its investigation, BJC did not find a single document that corroborates the West IDS regarding Mr. Mantha's alleged inventive contribution; the October 2006 West and Mantha Declarations which are *not* contemporaneous with BJC's BioNet[®] development.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Multiple sheets used when necessary)</i>	Application No.	10/723,168
	Filing Date	November 26, 2003
	First Named Inventor	Larry Eugene West
	Art Unit	1744
	Examiner	Nathan Andrew Bowers
SHEET 1 OF 1	Attorney Docket No.	BROAD.028A

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
		Information Disclosure Statement by Applicant as filed in U.S. Patent Application No.: 10/723,168, listing the following non-patent documents: 1) Declaration by Mr. Larry West including Exhibits A-C 2) Exhibit A: Declaration by Mr. Michael W. Mantha including Exhibits 1-3; 3) Exhibit B: Offer from Broadley-James Corporation to Mr. Michael Mantha to secure assignment; 4) Exhibit C: December 16, 2003 Letter from Scott Broadley to Michael Mantha regarding offer of employment.	
	2	Declaration by Larry Eugene West dated October 16, 2006 (from West IDS).	
	3	Declaration by Mr. Michael W. Mantha dated October 16, 2006 (Exhibit A of West IDS).	
	4	Unsigned Assignment from Michael Mantha to Broadley-James Corporation (Exhibit B of West IDS).	
	5	December 16, 2003 Letter from Scott Broadley to Michael Mantha regarding offer of employment (Exhibit C of West IDS).	
	6	Drawings (Exhibit 1 of West IDS).	
	7	July 13-14, 2002 Email correspondence between Larry West and Scott Broadley regarding plans and responsibilities for BioNet [®] development project.	
	8	October 16, 2002 Email from Larry West to Scott Broadley and Bob Garrahy regarding an update on BJC's BioNet [®] development project "Stella."	
	9	November 4, 2002 Email from Larry West to Scott Broadley regarding project management of BJC's BioNet [®] development project "Stella."	
	10	November 7, 2002, Broadley Technologies Stella Project Meeting Minutes.	
	11	November 7, 2002, Agenda for Stella Project Meeting.	
	12	White board "screen shot" from a meeting on December 9, 2002 regarding BJC's BioNet [®] System.	
	13	"Automating the Control and Data Acquisition of Multiple Benchtop Bioreactors with Industry Standard Fieldbus Networks," Proposed "White Paper", V9, December 8, 2002, written by Scott Broadley	
	14	December 16, 2002 Email from Larry West to Scott Broadley attaching a December 13, 2002 Email from Larry West to Michael Mantha and Jim Davis and a December 16, 2007 Email from Jim Davis to Larry West, all regarding comments on Scott Broadley's "White Paper"	
	15	January 27, 2003 Email from Scott Broadley to Andrew Hayward regarding BJC's delivery of BioNet [®] to Amgen.	

3757173/cfn/051107

Examiner Signature	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

T¹ - Place a check mark in this area when an English language Translation is attached.